

REMARKS

[0002] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-33 are presently pending. Claims amended herein are: 1-2, 5-6, 13, 15-16, 20, 23, 24, and 28-33.

Statement of Substance of Telephone Interview

[0003] Examiner Ahluwalia graciously talked with me—the undersigned representative for the Applicant—on 29 May 2008. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0004] During the interview, I discussed how the claims differed from the cited art, namely Stickler. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

[0005] The Examiner was receptive to the proposals, and I understood the Examiner to concur with the proposed clarifying claim amendments. For example, the Examiner indicated that clarification regarding the subject of the various versions, and an understanding of the ordinary meaning of "wildcard data" distinguished claim 1 over the cited art, namely Stickler. However, the Examiner indicated that she would need to review the cited art more carefully and do another search, and requested that the proposed amendments be presented in writing.

[0006] Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0007] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can discuss this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0008] Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your telephone call as well. My contact information may be found on the last page of this response.

Claim Amendments and Additions

[0009] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1-2, 5-6, 13, 15-16, 20, 23, 24, and 28-33 herein.

[0010] Claims 1 and 5 are amended to clarify that the claimed "first version" and "current version" are versions "of the data structure".

[0011] Claims 2 and 6 are amended to clarify that the claimed "current version" may not be a most recent version.

[0012] Claims 13, 15, 16, 23 and 24 are amended to improve readability.

[0013] Claim 20 is amended to correct a typographical error noted by the Applicant.

[0014] Claims 28-33 are amended to maintain consistent language among each of these claims.

Substantive Matters

Claim Rejections under §103

[0015] The Examiner rejects claims 1-33 under §103. For the reasons set forth below, the Examiner has not made a prima facie case showing that the rejected claims are obvious.

[0016] Accordingly, Applicant respectfully requests that the §103 rejections be withdrawn and the case be passed along to issuance.

[0017] The Examiner's rejections are based upon the following references in combination:

- **Stickler:** *Stickler, et al.*, US Patent Publication No. 2003/0097365 (published May 22, 2003); and
- **Darugar:** *Darugar, et al.*, US Patent Publication No. 2003/0018661 (Published January 23, 2003).

Overview of the Application

[0018] The Application describes a technology for a versionable schema that is both backward and forward compatible. Such a schema is able to receive data expected by multiple versions of the schema; tolerate the absence of optional data, in accordance with other versions; and accept wildcard data in accordance with still further versions.

Cited References

[0019] The Examiner cites Stickler as the primary reference in the obviousness-based rejections. The Examiner cites Darugar as a secondary reference in the obviousness-based rejections.

Stickler

[0020] Stickler describes a technology for management and distribution of electronic media.

Darugar

[0021] Darugar describes a technology for mapping of elements from a first XML format to a second XML format.

Obviousness Rejections

Lack of *Prima Facie* Case of Obviousness (MPEP § 2142)

[0022] Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a prima facie case have not been met.

Based upon Stickler in view of Darugar

[0023] The Examiner rejects claims 1-33 under 35 U.S.C. § 103(a) as being unpatentable over Stickler in view of Darugar. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

Independent Claim 1

[0024] Applicant submits that the combination of Stickler and Darugar does not teach or suggest at least the following element of claim 1:

*"at least one construct to render the received data functional within the current version of the data structure when the received data includes **wildcard data** that is not specified by the current version of the data structure"*

[0025] In contrast, Stickler discloses a wildcard parameter. A wildcard parameter as disclosed by Stickler is distinct from wildcard data, as claimed. Stickler defines a wildcard parameter in paragraphs [148 – 150] and [157].

[0026] “WildCard Data” as recited in claim 1 is described in the Application at paragraph [0037] as shown here:

[0037] Each of the wildcard members 330 and 340 for the respective constructs may accept data from message file 205 that is optional data (*i.e.*, from a known data entity) or wildcard data (*i.e.*, from a data entity that is unknown by type 305). Further, each construct is to be appropriately annotated as being unbounded in the number of further constructs nested therein, dependent upon the amount of data contained in message file 205. End delimiter 345 denotes an end to wildcard members in message file 205.

[0027] As discussed during the above-referenced Examiner interview, Stickler’s definition of a wildcard parameter is not equivalent to wildcard data as recited in claim 1. Therefore, the combination of Stickler and Darugar does not disclose all of the claimed elements and features of claim 1. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 2-4

[0028] These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 5

[0029] Applicant submits that Stickler does not teach or suggest “WildCard Members” or “WildCard Data” as recited in claim 5 and disclosed in the Application at paragraph [0037] as shown here:

[0037] Each of the wildcard members 330 and 340 for the respective constructs may accept data from message file 205 that is optional data (*i.e.*, from a known data entity) or wildcard data (*i.e.*, from a data entity that is unknown by type 305). Further, each construct is to be appropriately annotated as being unbounded in the number of further constructs nested therein, dependent upon the amount of data contained in message file 205. End delimiter 345 denotes an end to wildcard members in message file 205.

[0030] The instant application discloses wildcard members that receive wildcard data. Claim 5 claims such “wildcard member” and “wildcard data”:

“at least one wildcard member that follows the delimiter to receive wildcard data received in accordance with a different version of the data structure;”

[0031] Stickler discloses a wildcard parameter. A wildcard parameter as disclosed by Stickler is distinct from wildcard data or a wildcard member. Stickler defines a wildcard parameter in paragraphs [148 – 150] and [157]. Stickler’s definition of a wildcard parameter is not equivalent to wildcard data or wildcard member as recited in claim 5. Therefore, the combination of Stickler and Darugar does not disclose all of the claimed elements and features of claim 5. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 6-12

[0032] These claims ultimately depend upon independent claim 5. As discussed above, claim 5 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 13

[0033] Applicant submits that the combination of Stickler and Darugar does not teach or suggest "optional data" or "extra data" as recited in claim 13 and disclosed in the Application at paragraphs [0035] and [0037] as shown here:

[0035] Constructs 320A and 320B may be alternately referred to as "placeholders." Construct 320A contains delimiter 325, followed by wildcard member 330; and construct 320B contains delimiter 335, followed by wildcard member 340. End delimiter 345 denotes an end to the wildcard members in message file 205. With regard to the present example, a wildcard member is a data member that receives data for an optional and/or unknown data entity that may be used to validate a message in accordance with type 305. Thus, a wildcard member is essentially an optional data member, although an optional data member is not necessarily a wildcard member.

[0037] Each of the wildcard members 330 and 340 for the respective constructs may accept data from message file 205 that is optional data (*i.e.*, from a known data entity) or wildcard data (*i.e.*, from a data entity that is unknown by type 305). Further, each construct is to be appropriately annotated as being unbounded in the number of further constructs nested therein, dependent upon the amount of data contained in message file 205. End delimiter 345 denotes an end to wildcard members in message file 205.

[0034] Claim 13 recites:

“tolerating an absence of optional data from the received data, when the data is received in accordance with a different generation of the type”

accepting an inclusion of extra data in the received data, when the data is received in accordance with another different generation of the type;

[0035] Stickler discloses, as cited by the office:

[0009] Advantageously, the identification provided by the metadata of the at least one entity corresponds to an indication of an editorial sequence or release comprising those entities within its scope each of which include metadata

defining a position or version with the sequence. Preferably, where a relationship exists between one or more such editorial sequences, then a further entity indicative of a different release will contain within its metadata an indication of the source of that release. Such an indication may identify a particular revision within another release. Thus, the system seeks to overcome a difficulty present in known tree-based versioning models namely their inability to explicitly define relationships between different releases.

[0011] Such a method may be implemented on any suitable platform with any suitable environment including a network comprising mobile and/or fixed elements. By defining versioning information within metadata, it permits the generation of a versioning model suited to a particular agent or user request. Thus, by way of example, a tree-based versioning model may be generated from the metadata albeit with explicit definition of the relationships between releases. It will, of course, be apparent to those skilled in the art that other versioning models may be generated.

[0036] Applicant fails to find evidence that Stickler discloses the above claimed features as recited in claim 13 in the cited location or any other location

within the reference. Therefore, the combination of Stickler and Darugar does not disclose all of the claimed elements and features of claim 13. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 14-20

[0037] These claims ultimately depend upon independent claim 13. As discussed above, claim 13 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 20

[0038] Applicant submits that the combination of Stickler and Darugar does not teach or suggest “optional data” or “extra data” as recited in claim 20 and disclosed in the Application at paragraphs [35] and [37-41] as shown here:

[0035] Constructs 320A and 320B may be alternately referred to as “placeholders.” Construct 320A contains delimiter 325, followed by wildcard member 330; and construct 320B contains delimiter 335, followed by wildcard member 340. End delimiter 345 denotes an end to the wildcard members in message file 205. With regard to the present example, a wildcard member is a data member that receives data for an optional and/or unknown data entity that may be used to validate a message in accordance with type 305. Thus, a wildcard member is essentially an optional data member, although an optional data member is not necessarily a wildcard member.

[0037] Each of the wildcard members 330 and 340 for the respective constructs may accept data from message file 205 that is optional data (i.e., from a known data entity) or wildcard data (i.e., from a data entity that is unknown by type 305). Further, each construct is to be appropriately annotated as being unbounded in the number of further constructs nested therein, dependent upon the amount of data contained in message file 205. End delimiter 345 denotes an end to wildcard members in message file 205.

[0039] Claim 20 recites:

"tolerating optional data missing from the received data, when the data is received according to a different type version;"

"receiving further data included in the received data, when the data is received according to another different type version;"

[0040] Stickler discloses, as cited by the office:

[0009] Advantageously, the identification provided by the metadata of the at least one entity corresponds to an indication of an editorial sequence or release comprising those entities within its scope each of which include metadata

defining a position or version with the sequence. Preferably, where a relationship exists between one or more such editorial sequences, then a further entity indicative of a different release will contain within its metadata an indication of the source of that release. Such an indication may identify a particular revision within another release. Thus, the system seeks to overcome a difficulty present in known tree-based versioning models namely their inability to explicitly define relationships between different releases.

[0011] Such a method may be implemented on any suitable platform with any suitable environment including a network comprising mobile and/or fixed elements. By defining versioning information within metadata, it permits the generation of a versioning model suited to a particular agent or user request. Thus, by way of example, a tree-based versioning model may be generated from the metadata albeit with explicit definition of the relationships between releases. It will, of course, be apparent to those skilled in the art that other versioning models may be generated.

[0041] Applicant fails to find evidence that Stickler discloses the above claimed features as recited in claim 20 in the cited location or any other location within the reference. Therefore, the combination of Stickler and Darugar does not disclose all of the claimed elements and features of claim 20. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 21-27

[0042] These claims ultimately depend upon independent claim 20. As discussed above, claim 20 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 28

[0043] Claim 28 recites elements that are similar to those recited in claim 20. Consequently, Applicant submits that claim 28 is allowable for at least reasons similar to those presented above with reference to claim 20 above. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 29-33

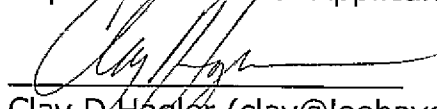
[0044] These claims ultimately depend upon independent claim 28. As discussed above, claim 28 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Conclusion

[0045] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call/email me at your convenience.

Respectfully Submitted,

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